

**REMARKS**

Claims 1 - 4 are currently pending in this application.

The specification, Abstract of the Disclosure, and claims 1 - 3 have been amended in order to more particularly point out, and distinctly claim the subject matter to which the applicants regard as their invention. The applicants respectfully submit that no new matter has been added. It is believed that this Amendment is fully responsive to the Office Action dated April 20, 2001.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached pages are captioned "**Version with markings to show changes made.**"

On page 14, line 18 of the applicants' specification, the word "changed" is requested to be changed to --charged-- by the Examiner. An amendment to the specification is accordingly respectfully submitted herewith.

As to the Examiner's outstanding objection to the Abstract of the Disclosure, as indicated above, the applicants have deleted the current Abstract, and submit herewith a substitute Abstract of the Disclosure in place therefor.

The applicants respectfully request that the substitute Abstract of the Disclosure submitted herewith be approved by the Examiner, and the withdrawal of the outstanding objections to the specification and Abstract of the Disclosure is in order, and is therefore respectfully solicited.

Similarly, in view of the amendments to claim 3 submitted herewith, the withdrawal of the Examiner's outstanding objection to the language of claim 3 is in order, and is therefore respectfully solicited.

As to the merits of this case, the following rejections are set forth:

- (1) claims 1 and 2 stand rejected under 35 USC §102(e) as being anticipated by Yamazaki (U.S. Patent No. 6,032,753); and
- (2) claims 3 and 4 stand rejected under 35 USC §103(a) based on Yamazaki in view of Yoshida (U.S. Patent No. 5,785,138).

The applicants respectfully request reconsideration of these rejections.

In the Examiner's specific reliance on the primary reference of Yamazaki, the Examiner specifically relies on steps S312 and S314, illustrated in Yamazaki's Figure 15, and on lines 15 - 34, column 13 in Yamazaki.

Based on the applicants' specification starting from line 4, page 9 through line 15, page 11, the water temperature reference value, the voltage reference value, and the catalyst temperature reference value are possible reference parameters for the applicants' catalyst warming control apparatus.

In lines 19 - 21, page 9 of the applicants' specification, it is specifically stated that:

a catalyst temperature and a value relating to the same includes the temperature of the cooling water.

A more specific discussion on how the water temperature reference value is used and compared can be found in line 16, page 11 through line 17, page 13 of the applicants' specification, and illustrated in the applicants' Figure 2.

Based on the above, the applicants have amended independent claim 1 so as to more particularly recite that the "value relating to the same" includes the "temperature of vehicle cooling water."

It is thus respectfully submitted that the cited prior art references, including the secondary reference of Yoshida, do not teach the use of the temperature of the cooling water as a parameter in a catalyst warming control apparatus, as now set forth in independent claim 1 as attached herewith.

Accordingly, since not all of the claimed elements, as now set forth in the claims filed herewith, are found in exactly the same situation and united in the same way to perform the identical function in Yamazaki's apparatus, there can be no anticipation under 35 USC §102(e) of the applicants' claimed invention based on Yamazaki.

Moreover, even if, *arguendo*, the teachings of the cited prior art references can be combined in the manner suggested by the Examiner, such combined teachings would still fall far short in fully meeting the applicants' claimed invention, as now set forth in the claims filed herewith. Thus, a person of ordinary skill in the art would not have found the applicants' claimed invention obvious under 35 USC §103(a) based on Yamazaki and Yoshida, singly or in combination.

Accordingly, the withdrawal of the outstanding anticipation rejection under 35 USC §102(e) as being anticipated by Yamazaki (U.S. Patent No. 6,032,753), and the outstanding obviousness rejection under 35 USC §103(a) based on Yamazaki in view of Yoshida (U.S. Patent No. 5,785,138) is in order, and is therefore respectfully solicited.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact applicants undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees which may be due with respect to this paper, may be charged to Deposit Account No. 01-2340.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Mel Quintos', is written over a horizontal line.

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Enclosures: (1) Version with markings to show changes made  
(2) Substitute Abstract of the Disclosure

**IN THE SPECIFICATION:**

**Paragraph bridging pages 14 and 15 (line 18, page 14 through line 3, page 15)**  
**has been amended as follows:**

According to the second aspect of the invention, it is determined whether the catalyst is activated. when the catalyst is not activated, the remaining charge of the power storage unit or a value relating to the same is measured. When the power storage unit must be [changed] charged, the vehicle drives and the generator charges the power storage unit by the output from the internal combustion engine. This increases the load on the internal combustion engine. Therefore, the temperature of the exhaust gas sent from the internal combustion engine is increased, thereby warming the catalyst.

**IN THE CLAIMS:**

Amend claims 1 and 3 as follows:

1. (Amended) A catalyst warming control apparatus for a hybrid vehicle having an internal combustion engine, a generator for generating electric power from the output from the internal combustion engine, a power storage unit for storing electric power generated by the generator, and an electric motor driven by the electric power stored in the power storage unit, the hybrid vehicle being driven by at least one of the outputs from the internal combustion engine and

the motor, the catalyst warming control apparatus comprising:

a temperature detector for detecting the temperature of a catalyst <sup>or</sup> a value relating to the same, wherein the value relating to the same includes the temperature of vehicle cooling water;

a first comparison circuit for comparing the detected result from the temperature detector with a preset reference value; and

a control circuit for allowing the generator to generate electric power and to store the power in the power storage unit when the internal combustion engine is driven, and when the detected result by the temperature detector is equal to or below the reference value according to the output from the comparison circuit.

3. (Amended) A catalyst warming control apparatus according to claim 1, further comprising:

a remaining charge detector for detecting a remaining charge of the power storage unit or a value relating to the same; and

a second comparison circuit for comparing the detected result from the remaining charge detector with a preset reference value relating to the remaining charge, wherein

the control circuit allows the generator to generate electric power, and drives the vehicle by the generated electric power and [the stored] stores the electric power, when the detected result from the temperature detector is equal to or below the reference value according to the output from the first comparison circuit, and when the detected result from the remaining charge detector is above the reference value relating to the remaining charge according to the output from the second comparison circuit.